

1635

USSN: 09/487,023

Attorney Docket No.: 21327-0701 US1

#12/K.T.
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I.D.S.

Certificate of Mailing/Transmission (37 C.F.R. § 1.8):
[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.
[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.
Dated: Nov. 20, 2002 Name of Person Certifying: Nancy Hine
Printed Name: Nancy Hine

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Parkash Gill, et al. Assignee: Not Assigned
Filing Date: January 19, 2000 Examiner: McGarry, Sean
Serial No.: 09/487,023 Group Art Unit: 1635
Title: METHOD OF COMPOSITION FOR TREATMENT OF KAPOSI'S SARCOMA

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1193, Docket No. 21327-0701 US1 for any additional fees required in connection with the filing of this Information Disclosure Statement.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith.
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d).
- ☐ Within three months of the date of entry of the national stage of an international application under 37 C.F.R. § 1.491.
- ☐ Before the mailing of a first Office Action on the merits. In the event, however, that an Office Action on the merits has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1193, Docket No. [insert docket no. here] for any fees set forth in 37 C.F.R. § 1.17(p).

- ☐ Before the mailing of a first Office Action with or after the filing of a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114.
- ☒ After the mailing of the first Office Action and more than three months after the application's filing date; or date of entry of the national stage of an international application, but, as far as is known to the undersigned, prior to the mailing date of either a Final Office Action or a Notice of Allowance. Certification OR a fee is required as specified in 37 C.F.R. § 1.97(c).
- ☐ The undersigned certifies that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, no item was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-1193, Docket No. 21327-0701 US1 for the fee set forth in 37 C.F.R. § 1.17(p) and any additional required fees.
- ☐ After the mailing date of either a Final Office Action or a Notice of Allowance, but on or before payment of the Issue Fee. Certification AND a fee is required as specified in 37 C.F.R. § 1.97(d).
- ☐ The undersigned certifies that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, no item was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☐ In addition, the Commissioner is hereby authorized to charge Deposit Account No. 50-1193, Docket No. [insert docket no. here] for the fee set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.



Copies of those items which are marked with an asterisk (*) in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).

- ☒ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

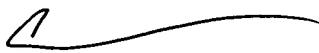
Citation of the above documents shall not be construed as:

1. a representation that a search has been made;
2. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b);
3. an admission that the documents are necessarily prior art with respect to the instant invention.

DATE: November 20, 2002

Respectfully submitted,

By: _____


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